

Richmond Ambulance Authority

Created: 1991 Acts of Assembly, c. 431.

Amended: 1999 Acts of Assembly, c. 687
Amended (§ 6).

§ 1. Short title.--This act shall be known and may be cited as the "Richmond Ambulance Authority Act." (1991, c. 431)

§ 2. Declaration of public necessity and purpose.--It is hereby determined and declared that to ensure the provision of adequate and continuing ambulance services to transport sick or injured persons in the Richmond metropolitan area, the exercise of the powers and duties set forth herein is necessary to preserve, protect and promote the public health, safety and general welfare of the public residing in this area, and the enactment of the provisions of this Act is hereby declared to be a public necessity and to serve a public purpose. (1991, c. 431)

§ 3. Definitions.--As used in this Act, the following words and terms shall have the following meanings, unless the context requires a different meaning:

"Authority" means the Authority created under the provisions of this Act, or, if the Authority is abolished, the board, body or commission succeeding to the principal functions thereof or to whom the powers given by this Act to the Authority are given by law.

"Governing body" means the council or other body by whatever name it may be known in which the general legislative powers of the municipality are vested.

"Municipality" means the City of Richmond in the Commonwealth of Virginia. (1991, c. 431)

§ 4. Creation of the Authority.--A. The governing body of the municipality may by resolution signify its determination to organize an authority under the provisions of this Act. Such resolution may be adopted only after a public hearing thereon, notice of which hearing shall be given by publication at least once, not less than ten days prior to the date fixed for such hearing, in a newspaper having a general circulation in the municipality. Such notice shall contain a brief statement of the substance of the proposed resolution, shall set forth the proposed articles of incorporation of the Authority and shall state the time and place of the public hearing to be held thereon. Such municipality shall not be required to make any other publication of such resolution under the provisions of any other law.

B. Such resolution shall include articles of incorporation which shall set forth:

1. The name of the Authority;
2. A statement that such Authority is organized under this Act;
3. The name of the organizing municipality; and
4. The names and addresses of the first members of the Authority appointed by the organizing municipality.

C. Passage of such resolution by the governing body shall constitute the Authority a public body and a body politic and corporate of the Commonwealth of Virginia. (1991, c. 431)

§ 5. Membership of the Authority.--The Authority organized under the provisions of this Act shall consist of eleven members, nine of whom shall be selected by the governing body of the organizing municipality and who shall serve for terms expiring two years from the date of appointment, plus the Richmond City Manager and the Richmond Director of Finance, both of whom shall serve during the time they hold such offices. The successor of each member of the Authority shall be appointed for a term of two years (except the two city officers); any person appointed to fill a vacancy shall be appointed to serve only for the unexpired term and any member of the Authority may be reappointed.

Each member of the Board before entering upon his duties shall take and subscribe an oath or affirmation to support the Constitution of the United States and of the Commonwealth and to discharge faithfully the duties of his office, and a record of each such oath shall be filed with the Secretary of the Board.

The Board shall select from its membership one of its members as Chairman and another as Vice Chairman and shall also select a Secretary and a Treasurer who may, but need not, be members of the Authority. The offices of Secretary and Treasurer may be combined. The terms of office of the Chairman, Vice Chairman, Secretary and Treasurer shall be as provided in the bylaws of the Authority but shall not be longer than two years.

A majority of the members of the Board shall constitute a quorum and the affirmative vote of a majority of all of the members of the Board shall be necessary for any action taken by the Authority. No vacancy in the membership of the Board shall impair the right of a quorum to exercise all the rights and perform all of the duties of the Authority. The members of the Board shall serve without compensation but shall be reimbursed for the amount of actual expenses incurred by them in the performance of their duties, excepting city officers. (1991, c. 431)

§ 6. General grant of powers.

The Authority created hereunder shall be deemed to be a public instrumentality exercising public and essential governmental functions to provide for the public health, safety and welfare, and such Authority is hereby authorized and empowered to:

1. Provide emergency ambulance service originating in the city, nonemergency service within the Commonwealth, and mutual aid to other jurisdictions upon request of such jurisdictions and conduct such other activities as may be reasonably related to doing so, subject to such restrictions as may be imposed by Article 2.1 (§ 32.1-111.1 et seq.) of Chapter 4 of Title 32.1 or other state law or regulation;

2. Adopt bylaws for the regulation of its affairs and the conduct of its business;

3. Adopt an official seal and alter the same at pleasure;

4. Maintain an office at such place or places as it may designate;

5. Sue and be sued in its own name, plead and be impleaded;

6. Purchase, lease, equip, maintain, repair and operate motor vehicles, equipment and facilities within the corporate limits of the organizing municipality deemed necessary to perform its functions;

7. Fix and revise from time to time and charge and collect rates, rentals, fees and other charges for the services and facilities furnished by such Authority;

8. Acquire in the name of the Authority by gift, or lease-purchase, any motor vehicles and equipment, and to acquire such other personal property, as it may deem necessary in connection with the performance of its functions;

9. Lease all or any part of such motor vehicles, equipment and facilities upon such terms and conditions and for such term of years as it may deem advisable to carry out the provisions of this Act;

10. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this Act; and employ such financial experts, accountants and attorneys and such employees and agents as may, in the judgment of the Authority, be deemed necessary, and fix their compensation; however, all such expenses shall be payable solely from funds made available under the provisions of this Act;

11. Do all acts and things necessary or convenient to carry out the powers granted by this Act;

12. Make and enter into all contracts with private entities with respect to any service to be performed by the Authority; and

13. Sell, exchange, donate, and convey any or all of its properties, real, personal or mixed, whenever its members shall find any such action to be in furtherance of the purposes for which the Authority was organized. (1991, c. 431; 1999, c. 687)

§ 7. Revenues.--The Authority shall fix, and may revise from time to time, rates, rentals, fees and other charges for the use of and for the services and facilities furnished or to be furnished by the Authority. Such rates, rentals, fees and charges shall not be subject to supervision or regulation by any bureau, board, commission or other agency of the Commonwealth or of any political subdivision. Such rates, rentals, fees and charges shall be fixed and revised so that the revenues of the Authority, together with any other available funds, will be sufficient at all times to pay the cost of maintaining, repairing and operating the motor vehicles, equipment and facilities or parts thereof owned or operated by the Authority, including reserves for such purposes. Notwithstanding any of the foregoing provisions of this section, the Authority may enter into contracts relating to use of the services and motor vehicles, equipment and facilities of the Authority on such terms as the Authority shall determine to be proper, which contracts shall not be subject to revision except in accordance with their terms. (1991, c. 431)

§ 8. Exemption from taxation.--As services provided by the Authority are essential to the health, safety and general welfare of the public, and as the exercise of the powers conferred by this Act to effect such purposes constitute the performance of essential governmental functions, and as motor vehicles, equipment and facilities acquired or operated under the provisions of this Act are necessary for the performance of essential governmental functions, and as such constitute public property and are used for governmental purposes, the Authority shall not be required to pay any taxes or assessments upon any such motor vehicles, equipment and facilities or any part thereof, or upon the income therefrom (including any profit made on the sale thereof), which shall at all times be free from taxation within the Commonwealth. (1991, c. 431)

§ 9. Contributions.--The municipality is hereby authorized to make contributions or advances to an Authority which it organizes under the provisions of this Act from any available moneys for any purpose of the Authority. The municipality is hereby further authorized to enter into agreements with the Authority obligating the municipality to pay

the Authority any part or all of the moneys as may be mutually agreed necessary or desirable to ensure the successful operation of the Authority or to cover an Authority deficit. (1991, c. 431)

§ 10. Actions taken by Authority.--Any action taken by the Authority under the provisions of this Act may be authorized by resolution at any regular or special meeting and each such resolution shall take effect immediately and need not be published or posted. (1991, c. 431)

§ 11. Severability.--The provisions of this Act are severable, and if any of its provisions are held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions. (1991, c. 431)

§ 12. Construction.--This Act, being necessary for the welfare of the Commonwealth and its inhabitants, shall be liberally construed to effect the purpose thereof. (1991, c. 431)